IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF ALABAMA SOUTHERN DIVISION

INC.,)	
Plaintiff,)	
)	CASE NO.:
v.)	
)	CV-02-RRA-1155
EQUAL EMPLOYMENT OPPORTUNITY)	
COMMISSION ("EEOC"),)	
)	
Defendant.)	

MEMORANDUM OF OPINION

The magistrate judge filed a report and recommendation on October 25, 2005 (doc. 26), and an amendment to the report and recommendation on March 9, 2006 (doc. 47), recommending that the defendant's motion for summary judgment be granted and this cause be dismissed with prejudice. Objections were filed by the plaintiff and have been considered by this court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the amendment thereto, and the objections, the Court is of the opinion that the magistrate judge's report is due to be and is hereby ADOPTED and his recommendation is ACCEPTED. The Court EXPRESSLY FINDS that there are no genuine issues of material fact and that the defendants are entitled to judgment as a matter of law. Accordingly, defendant's motion for summary judgment is due to be GRANTED and this action is due to be DISMISSED WITH PREJUDICE. A Final Judgment will be entered.

DONE this the 17th day of March, 2006.

WILLIAM M. ACKER, JR.

UNITED STATES DISTRICT JUDGE